

*Before Final - Official*

Practitioner's Docket No.: 789\_048 NP

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Yukihiisa TAKEUCHI, Kazuyoshi SHIBATA and Masahiko  
NAMERIKAWA

Ser. No.: 09/672,069

Art Unit: 2834

Filed: September 28, 2000

Examiner: Budd, M.

Confirmation No.: 7280

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FEB 21 2002

TECHNOLOGY CENTER 2800

For: PIEZOELECTRIC/ELECTROSTRICTIVE DEVICE AND METHOD OF  
MANUFACTURING SAMEAssistant Commissioner for Patents  
Washington, D.C. 20231CERTIFICATION OF FACSIMILE  
TRANSMISSIONI hereby certify that this paper is being facsimile  
transmitted to the Patent and Trademark Office  
on February 21, 2002 at (703) 872-9318.*Tara L. Preston*  
Tara L. PrestonRESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Office Action mailed January 23, 2002, applicants hereby provisionally elect, with traverse, to prosecute the claims of Group I (claims 1-41) in this application.

However, applicants respectfully traverse the restriction requirement since the subject matter of claims 1 - 67 is sufficiently related that a thorough and complete search for the subject matter of the elected claims would necessarily encompass a thorough and complete search for the subject matter of the non-elected claims. Thus, it is respectfully submitted that search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is clearly stated that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the

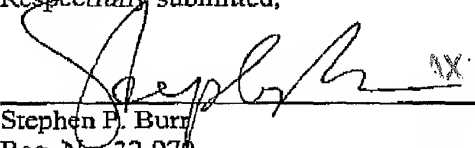
merits." It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to applicants and improper duplicative examination by the Patent Office.

If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

February 21, 2002  
Date

  
Stephen P. Burr  
Reg. No. 32,970

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